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Commonwealth of Virginia

PRIVATE SECURITY SERVICES ADVISORY BOARD

**December 11, 2007
Quarterly Meeting Minutes**

**Tuckahoe Public Library
Richmond's West End TU Meeting Room
1901 Starling Drive
Richmond, VA 2322-4607**

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Call to Order

Dennis VanDuzee, Chairman, called the meeting to order at approximately 10:00 a.m.

Attendees

Dennis VanDuzee, Chairman; Christopher DiMartino, Vice-Chairman; Thomas Turner, Secretary; Carl D. Armstrong; Charles Ciccotti; Paul Ellis; Brent Fortner; Joseph Maslanka; Harry Merchant Seth Oginz.

Absent

Kevin Hodges, notified the Chairman and the Board in advance
Deputy Chief James A. Cervera, notified the Chairman and the Board in advance
Charles Tobin, notified the Chairman and the Board in advance

Approval of Agenda

Chairman Dennis VanDuzee asked that the Agenda be amended to remove the PSSAB Appointments. Christopher DiMartino moved to approve the amended agenda. Harry Merchant seconded the motion. Motion carried.

Approval of Minutes

Thomas Turner made a motion to approve the minutes for the October 9, 2007, PSSAB meeting. Charles Ciccotti seconded the motion and the motion carried.

Committee Reports

Chair Dennis VanDuzee stated that he had asked Thomas Turner to chair the Regulatory Committee and have asked Seth Oginz to serve on that committee. They both accepted. Brent Fortner was asked to chair the Partnership Committee and he has accepted.

Training Committee - No report

DCJS Report

Staffing

Section Chief Lisa McGee reviewed the organizational changes taking place in the Private Security Services Section. (copy attached). With the budget reductions, DCJS will only be able to fill two vacancies. As part of the reorganization, Robbie Robertson has been moved into the field as an investigator. His former duties as Administration Manager have been split between the other managers. Burt Walker has been responsible as the Compliance Enforcement Manager for all compliance issues as well as adjudication procedures, The Section received approval to advertise for a Compliance Adjudication Manager and upon filling this position, Burt Walker's position will be responsible for the Supervision of the Investigative Team as well as conducting active investigations as the Enforcement Supervisor. This will increase the number of staff in the field and allow for the Section to take a more proactive approach towards compliance. There is also a vacancy for a part time Administrative Assistant. These positions will be advertised within the next week or so and the Section hopes to be fully staffed by the New Year.

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Regulations and Legislature

The Regulations Relating to Property and Surety Bail Bondsman are in the Governor's Office awaiting final approval. Once approved, the Regulations will be published on the Registrar. Within 30 days of the publication, they will become permanent.

The Proposed Regulations Relating to Bail Enforcement Agents has been amended as requested by the Governor's Office. These Proposed Regulations are currently with the Department of Planning and Budget as part of the Executive Review. Once approval has been granted on these Proposed Regulations, the 60-day comment period will begin.

DCJS is attempting to time the submission of The Regulations Relating to Private Security Services with the Legislative Proposal. If the Legislative Package is approved for submission, it will be submitted in the first part of 2008 and would open the Notice of Intended Regulatory Action.

If the package is approved for this Legislative Session, it will move forward with the language as attached. If the package is not approved, it will be submitted in the next Legislative Session.

Photo ID/Credit Card

The Photo ID has been amended to include "armed" and "unarmed" to the card. There will also be a line added on "armed" that says "firearms endorsement required". This new card will be issued on renewal of registration. Anyone desiring the new card prior to their renewal can request a replacement photo ID.

The Section is working on an initiative to accept credit card payment on all applications. Implementation will happen as soon as the program has been completed.

Conference

After the discussions at the 2007 PSS Conference in reference to the continuation of future conferences, DCJS received a lot of input from the industry in support of continuing the annual conference. Based on this input, DCJS has proceeded with submitting a RFP for a hotel in Roanoke, Virginia Beach & Norfolk for the first week in October 2008.

The concerns of DCJS in reference to the conference is the time usage of our staff and the issue of solicitation of sponsorship. Sponsorship was down in 2007 and the Agency should not be in a position to solicit from individuals falling under their regulatory authority. There was some discussion of the Board setting up a committee to set up the conference or, hire an Event Coordinator to handle all the preparations for the conference.

The estimated budget for a conference is around \$49,000, 53% is usually generated from conference registrations and, 47% from sponsorship.

Board Comments

Thomas Turner asked why it would be problematic to get the Code changes submitted to the 2008 Legislative Session. Lisa McGee explained that there must be Executive Approval for the Legislative Bill to be accepted into an Administrative Package for the measure to go forward to the General Assembly.

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Thomas Turner asked if there was any rule regarding the Board lobbying for the Code changes. Leon Baker, the DCJS Division Director, advised the Board that they cannot lobby but they can offer their support as a Board.

Brent Fortner asked what the estimated cost would be to hire an Event Coordinator to put on the 2008 conference. The Events Coordinator for DCJS should be able to provide Ms. McGee with additional information, once the information is received, Ms. McGee will provide that information to the Board. Mr. Baker added that the cost would be varied by how much the conference the coordinator was to plan and implement. Event Coordinators can be hired to do part of the conference or to handle the entire conference.

Brent Fortner asked how many sponsors normally sign up for the conference that would need to be contacted. Ms. McGee said she did not have that information with her but would estimate the number at between 10 and 15. Mr. Fortner expressed concern regarding spending monies for an Event Coordinator that could go toward making enhancements to the conference. Ms. McGee stated that hopefully within the next month she could provide some estimates on costs to hire an Event Coordinator and a list of conference items that require sponsorship, such as golf, firearms competition, breaks, etc. Brent Fortner recommended the Board form a Conference Committee.

Charles Ciccotti made a motion that the Board form a Conference Committee to hear the costs and see what all is involved in setting up a conference and see if they can come up with a solution. Paul Ellis seconded the motion and the motion carried.

Paul Ellis, Brent Fortner and Joseph Maslanka volunteered to serve on the Conference Committee.

Public Comments

Michael Hellwig addressed his concerns regarding training standards and the ability of the small training school to adhere to the mandated hours of instruction. The small training school cannot run a session for just one or two students and stay in business. If the school charges \$250 for a PPS in-service class and has one student, they lose money. The school will have to pay an instructor \$25.00 per hour for the 8 hours of mandated instruction. Mr. Hellwig implied that the present system is pitting the training schools against the regulatory body by forcing the training schools to cut corners on the instruction provided in order to stay in business. Mr. Hellwig further stated that the regulations were set up to protect the citizens of the Commonwealth but were not set up for the benefit of the security officers, the personal protection specialists, or for the investigators. Mr. Hellwig expressed the opinion that if an instructor is in a one-on-one situation in a training session with a highly qualified individual, he should have some way of circumventing the hourly training requirements of the regulations and that if the instructor will not go outside the regulations, the student will go somewhere else where he/she can get the regulations circumvented. Mr. Hellwig implied that this practice is prevalent in both the Entry-Level and In-Service training.

Mr. Hellwig implied that many training schools in the Northern Virginia area were involved in training that did not meet the requirements of the Regulations Relating to Private Security Services.

Brent Fortner and Paul Ellis of the Board both advised Mr. Hellwig that he should report any matter of integrity to DCJS for investigation and that DCJS takes these reports very seriously and does investigate each report. Brent Fortner and Paul Ellis also advised Mr. Hellwig to meet with the Training Committee and the Committee members would attempt to offer him their assistance.

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Karl Dear, chief instructor for Special Operations Group of Northern Virginia, expressed concern over the training requirements. He felt that the smaller companies suffer because it is a cut throat business. An example is the Core Subjects for Security Officers, 3 to 4 hours on documentation when there are no incident reports. There is nothing on which to base a true course. If one of his officers gets into trouble, there is no form on which to submit it to DCJS. There is currently only one incident form, the firearm discharge report that is completed and submitted to DCJS for investigation. Training side of the house is different from owning a business. Mr. Dear thinks that what Mr. Hellwig was trying to say was that there are many training schools cutting corners on required training to meet their budget and thus putting the public at risk. Training schools are not giving students all the training they need for different situations that may arise on the job.

Mr. Baker advised Mr. Dear that prior to coming to DCJS he had spent many years in the industry, With company ethics and training school ethics. It does not matter how high DCJS sets the standards, if the businesses are willing to send their employees to a training school where they know their people are not going to be properly trained. If you have instructors who are willing to sign off on a document saying that that person has gone through training that they have not taken, there is no way to set the standards for that. All DCJS can do is the best we can and when we find out that someone is operating that way, to get those people out of the industry as quickly as we can.

Mr. Dear asked who he would need to talk to about getting a higher budget for investigators. Mr. Dear was concerned that DCJS was so short of investigators and much of the training being provided by training schools is putting poorly trained individuals on the streets who may make serious mistakes.

Mr. Ellis asked Mr. Dear to meet with the Training Committee.

Kim Buckner, DCJS Training Manager, told the Board that both of the gentlemen who addressed the Board were her students. Ms. Buckner thanked the Board for giving them the opportunity to speak. To Mr. Hellwig and Mr. Dear, Ms. Buckner thanked them for taking their time to voice their opinions and to be part of the solution and not part of the problem and advised them that they should meet with the Training Committee.

Mr. Hellwig asked if it would be possible to institute a temporary PPS business license program for out-of-state PPS businesses that would work like the PI reciprocity agreements currently in place.

Ms. McGee advised that anyone coming into Virginia to work would have to undergo a criminal history check, training and that any change would have to go through the regulatory process.

Announcements

Chair Dennis VanDuzee announced that the next quarterly meeting of the PSSAB will be held on March 4, 2008.

Adjournment

Harry Merchant made a motion to adjourn the meeting. Brent Fortner seconded the motion. The motion carried and the meeting was adjourned.

Public Attendees

Landon White
Stephen D. Parn
George Haudricourt

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Tom Kramer
John Palamara, Jr.
B. E. McCrory, Jr.
James Darrington
Meriah Crawford
Alvin Burns
Mary Kay Wakefield
Michael Hellwig
Karl Dear

Regulatory Sub Committee
No Report

New Business
No new business

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